

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper ²⁹

Filed 19 August 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HIROSHI TAYANAKA
Junior Party
(Patent 6,107,213),

v.

KIYOFUMI SAKAGUCHI, TAKAO YONEHARA
and **NOBUHIKO SATO**
Senior Party
(Application 10/085,046).

Patent Interference No. 105,767 (JL)
(Technology Center 2800)

DECLARATION - BD.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3 parties. Details of the application(s), patent (if any), reissue application (if any), count(s)
4 and claims designated as corresponding or as not corresponding to the count(s) appear
5 in Parts E and F of this DECLARATION.

6 **Part B. Judge managing the interference**

7 Administrative Patent Judge Jameson Lee has been designated to manage the
8 interference. Bd. R. 104(a).

9 **Part C. Standing order**

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 **Part D. Initial conference call**

13 A telephone conference call to discuss the interference is set for **1:00 p.m. (EST)**
14 **on 30 September 2010** (the Board will initiate the call).

15 No later than **four business days** prior to the conference call, each party shall
16 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
17 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as Form 2
19 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to
20 the conference call and to agree on dates for taking action. A typical motion period
21 lasts approximately eight (8) months. Counsel should be prepared to justify any request
22 for a shorter or longer period.

1 **Part E. Identification and order of the parties**

2 Junior Party

3 Named inventor: HIROSHI TAYANAKA, Kanagawa, Japan

4
5 Involved Patent: 6,107,213 granted 22 August 2000 based on
6 Application 08/818,239 filed 14 March 1997

7 Title: Method for making thin film semiconductor

8 Assignee: SONY Corporation

9
10 Senior Party

11 Named Inventors: KIYOFUMI SAKAGUCHI, Isehara-shi, Japan
12 TAKAO YONEHARA, Atsugi-shi, Japan
13 NOBUHIKO SATO, Yokohama-shi, Japan

14
15 Involved Application: 10/085,046 filed 1 March 2002

16 Title: Process for production of semiconductor substrate

17
18 Assignee: Canon Kabushiki Kaisha

19
20 The senior party is assigned exhibit numbers 1001-1999. The junior party is
21 assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party
22 is responsible for initiating settlement discussions. SO ¶ 126.1.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

16
17
18
19
20
21
22
23
24
25
26
27
28
29

17
18
19
20
21
22
23
24
25
26
27
28
29

21
22
23
24
25
26
27
28
29

25
26
27
28
29

28
29

Patent 6,294,478 granted 25 September 2001 based
on Application 08/807,604 filed 27 February 1997

09/933,711 filed 22 August 2001
09/840,895 filed 25 April 2001
JP 6-039389 filed 10 March 1994
JP 7-045441 filed 6 March 1995
JP 7-260100 filed 6 October 1995
JP 8-041709 filed 28 February 1996
JP 8-264386 filed 4 October 1996

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see
SO ¶ 106.1.1:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HIROSHI TAYANAKA
Junior Party
(Patent 6,107,213),

v.

KIYOFUMI SAKAGUCHI, TAKAO YONEHARA
and **NOBUHIKO SATO**
Senior Party
(Application 10/085,046).

Patent Interference No. 105,767 (JL)
(Technology Center 2800)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38

Enc:

Revised 3 January 2006

-6-

1 cc (via overnight delivery):
2

3 Attorney for Tayanaka:
4

5 SONNENSCHN NATH & ROSENTHAL LLP
6 233 South Wacker Drive, Suite 7800
7 Chicago, IL 60606-6404
8

9 Attorney for Sakaguchi:
10

11 FITZPATRICK CELLA HARPER & SCINTO
12 1290 Avenue of the Americas
13 New York, N.Y. 10104-3800